IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.511 OF 2005

Mrs. Deborah Rolfie Pereira ..Appellant
V/s
Municipal Corporation of Grtr Bombay. ..Respondent

Mr. A. M. Saroji for the Appellant.

CORAM: A.S.OKA,J.
DATE : 05.05.2005.

P.C.:

1. Heard Advocates appearing for the parties. Advocate for Appellant states that regular application for for permission has been submitted by the Appellants through his architect to the concerned Authority of the Respondent- Corporation on 24th March 2005. The learned Advocate for the Respondent on instruction states that application has been received by the concerned office of the Respondent-Corporation.

2. As the application for permission/ regularisation is made, the learned Advocate for the Appellant states that the Appellant wants to withdraw the L. C. Suit No.1037 of 2005 unconditionally.

3. Learned Advocate states that till the time application for regularisation is not decided the structure may be protected.

4. Hence, I pass the following order:

: O R D E R :

i) L. C. Suit No.1037 of 2005 is dismissed as withdrawn.

ii) The concerned authority of Respondent-Corporation shall decide the appliation submitted by Appellant on 24th March 2005 within period of eight weeks from today.

iii) The Respondent-Corporation will not take action of demolition in respect of the suit structure for a period of twelve weeks from today.

iv) The Respondent-Corporation will communicate the decision taken on the application to the Appellant within period of one week from the decision of the application.

v) Appeal is disposed of in above terms with no order as to costs.

JUDGE.